

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

KASTURI HALDAR,)	
)	
Plaintiff,)	Case No.: 3:24-cv-00836-CCB-SJF
)	
v.)	
)	
UNIVERSITY OF NOTRE DAME)	
DU LAC, SANTIAGO SCHNELL, and)	
CINDY PARSEGHIAN)	
)	
Defendants.)	

**DEFENDANTS' MOTION FOR LEAVE TO FILE SUR-REPLY IN FURTHER
OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR RECONSIDERATION**

Defendants University of Notre Dame du Lac, Santiago Schnell and Cindy Parseghian (“Defendants”) respectfully move this Court for leave to file a Sur-Reply in further opposition to Plaintiff’s Emergency Motion for Reconsideration and, in support thereof, aver as follows:

1. On October 11, 2024, Plaintiff filed her Complaint and Emergency Motion for a Temporary Restraining Order and Preliminary Injunction (“PI Motion”). [DE 1, 4, 5].
2. On November 5, 2024, this Court issued an Order denying the PI Motion. [DE 30].
3. On November 18, 2024, Plaintiff filed an Emergency Motion for Reconsideration of this Court’s November 5, 2024 Order. [DE 36].
4. In her Emergency Motion for Reconsideration, Plaintiff argued that this Court should reconsider its decision to deny a preliminary injunction preventing the closure of her laboratory because of “newly discovered evidence.” The new evidence on which Plaintiff relied was that the Faculty Grievance Panel that was convened to review a grievance that Plaintiff filed pursuant to the University’s Academic Articles related to the University’s decision to close her lab would not complete its review of the grievance before the closure of the lab. [DE 36 at 4].

5. The Faculty Grievance Panel now has completed its review and has issued its report and recommendations, concluding that the University's sanctions against Plaintiff, including closure of Plaintiff's lab, should be upheld. Further, in accordance with the Academic Articles, the University President has reviewed the Faculty Grievance Panel's report and recommendations, and has rendered a decision to affirm its recommendations. The grievance process therefore is complete.

6. Defendants believe that the Faculty Grievance Panel's report and recommendations are directly relevant to Plaintiff's claims in her Emergency Motion for Reconsideration and that this Court should be afforded the benefit of reviewing them, as set forth in Defendants' proposed Sur-Reply, attached as Exhibit A hereto. Defendants therefore respectfully request that this Court grant this Motion and order the docketing of Defendants' Sur-Reply.

7. Pursuant to Section II of this Court's "Courtroom Procedures and Trial Practice," counsel for Defendants conferred with Plaintiff's counsel on February 27, 2025, and Plaintiff's counsel stated that Plaintiff opposes the relief requested in this Motion.

8. This Motion is not brought for any improper purpose.

WHEREFORE, Defendants University of Notre Dame du Lac, Santiago Schnell and Cindy Parseghian respectfully request that their Motion for Leave to File Sur-Reply in further opposition to Plaintiff's Emergency Motion for Reconsideration be granted and that the Sur-Reply attached as Exhibit A hereto be docketed.

Respectfully submitted,

Date: March 3, 2025

/s/ Michael P. Palmer

Anneliese Wermuth

awermuth@cozen.com

Cozen O'Connor

123 North Wacker Drive, Suite 1800

Chicago, Illinois 60606
(312) 474-7876

BARNES & THORNBURG LLP
Michael P. Palmer (#25199-71)
V. Chisara Ezie-Boncoeur (#37251-71)
Barnes & Thornburg LLP
201 S. Main St., Suite 400
South Bend, IN 46601-2130
Attorney Palmer: (574) 237-1135
michael.palmer@btlaw.com
Attorney Ezie-Boncoeur: (574) 237-1273
cezie@btlaw.com

*Attorneys for Defendants, University of Notre
Dame du Lac, Santiago Schnell and Cindy
Parseghian*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been electronically filed this 3rd day of March, 2025, with a copy served on all counsel of record via CM-ECF.

/s/ Michael P. Palmer

Barnes & Thornburg LLP